

DOCKET NO.: IVOO-0144

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In Re Application of:**

**Charles Eric Hunter, Bernard L. Ballou, Jr.,**

**Kelly C. Sparks and John H. Hebrank**

**Application No.: 09/684,442**

**Filing Date: October 6, 2000**

**For: MUSIC DISTRIBUTION SYSTEMS**

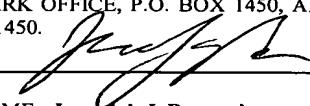
**Confirmation No.: 2729**

**Group Art Unit: 3621**

**Examiner: Pierre E. Elsca**

DATE OF DEPOSIT: September 13, 2005

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

  
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TYPED NAME: **Jeremiah J. Baunach**  
REGISTRATION NO.: **44,527**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of

the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

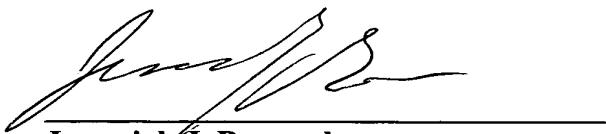
- In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.116 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:
  - Certification in Accordance with § 1.97(e) is attached; or
  - The fee of \$180.00 as set forth in § 1.17(p) is attached.
- In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).
- Copies of reference numbers **1, 69-79** and **81-86** listed on the attached Form PTO-1449 are enclosed herewith. A copy of reference **80** (Taiwan patent application TW90101479) was cited by previous counsel in a related patent application. However, this document is not available to the public because it is currently under examination.

- Copies of reference numbers **2-68** on the attached Form PTO 1449 are not required to be submitted pursuant to 37 CFR § 1.98(a)(2)(i).
- Copies of references - are not being submitted because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application number , filed for which a claim for priority under 35 U.S.C. § 120 has been made in the instant application.
- The relevance of those listed references which are not in the English language is as follows:

There are no listed references which are not in the English language.

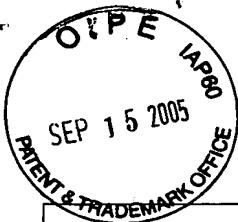
Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

Date: September 13, 2005



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<b>Form PTO-1449 Modified</b>	
List of Patent and Publications Cited by Applicant (Use several sheets if necessary)	
U.S. Department of Commerce Patent and Trademark Office	
Docket No. <b>IVOO-0144</b>	Application No. <b>09/684,442</b>
Applicant <b>Charles Eric Hunter, Bernard L. Ballou, Jr., Kelly C. Sparks and John H. Hebrank</b>	
Filing Date <b>October 6, 2000</b>	Group <b>3621</b>
Confirmation No. <b>2729</b>	

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	<b>1</b>	IBM Technical Disclosure Bulletin, "Multimedia Audio on Demand," <b>1994</b> , 37, 1 page (Abstract only)
	<b>2</b>	U.S. Patent Application No. 11/085,944 Charles Eric HUNTER et al. (filed March 21, 2005).

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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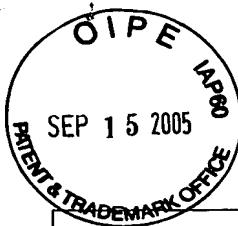
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U.S. Department of Commerce Patent and Trademark Office		Filing Date <b>October 6, 2000</b>	Group <b>3621</b>
		Confirmation No. <b>2729</b>	

### U. S. PATENT DOCUMENTS

<b>Examiner Initial</b>		<b>Document No.</b>	<b>Date</b>	<b>Name</b>	<b>Class</b>	<b>Subclass</b>
	<b>3</b>	4,789,863	12/06/88	Bush	340	5.9
	<b>4</b>	4,794,465	12/27/88	Van Luyt et al.	386	100
	<b>5</b>	4,809,325	02/28/89	Hayashi et al.	380	234
	<b>6</b>	5,438,355	08/30/95	Palmer	725	110
	<b>7</b>	5,440,334	08/01/95	Walters et al.	725	92
	<b>8</b>	5,469,206	11/21/95	Strubbe et al.	725	60
	<b>9</b>	5,483,278	01/09/96	Strubbe et al.	725	61
	<b>10</b>	5,483,535	01/09/96	McMillen et al.	370	452
	<b>11</b>	5,550,863	08/27/96	Yurt et al.	375	240
	<b>12</b>	5,566,315	10/15/96	Milillo et al.	711	113
	<b>13</b>	5,572,442	11/05/96	Schulhof et al.	709	219
	<b>14</b>	5,610,653	03/11/97	Abecassis	348	170
	<b>15</b>	5,621,840	04/15/97	Kawamura et al.	386	68
	<b>16</b>	5,469,206	11/21/95	Strubbe et al.	725	60
	<b>17</b>	5,729,214	03/17/98	Moore	340	905
	<b>18</b>	5,734,720	03/31/98	Salganicoff	380	211
	<b>19</b>	5,761,721	06/02/98	Baldus et al.	711	141
	<b>20</b>	5,790,935	08/04/98	Payton	422	186
	<b>21</b>	5,815,662	09/29/98	Ong	725	92
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>		



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	<b>22</b>	5,857,020	01/05/99	Peterson, Jr.	705	52
	<b>23</b>	5,862,260	01/19/99	Rhoads	382	232
	<b>24</b>	5,905,713	05/18/99	Anderson et al.	370	241
	<b>25</b>	5,915,018	06/22/99	Aucsmith	380	201
	<b>26</b>	5,931,901	08/03/99	Wolfe et al.	709	206
	<b>27</b>	5,956,716	09/21/99	Kenner et al.	707	10
	<b>28</b>	5,959,885	09/28/99	Kameswara	365	185.07
	<b>29</b>	5,963,217	10/05/99	Grayson et al.	345	473
	<b>30</b>	6,005,938	12/21/99	Banker et al.	380	239
	<b>31</b>	6,006,332	12/21/99	Rabne et al.	713	201
	<b>32</b>	6,012,086	01/04/00	Lowell	709	218
	<b>33</b>	6,029,141	02/22/00	Bezos et al.	725	27
	<b>34</b>	6,032,130	02/29/00	Alloul et al.	705	27
	<b>35</b>	6,044,047	03/28/00	Kulas	369	34.01
	<b>36</b>	6,061,440	05/09/00	Delaney et al.	379	202.01
	<b>37</b>	6,064,980	05/16/00	Jacobi et al.	705	26
	<b>38</b>	6,069,868	05/30/00	Kashiwagi	369	275.1
	<b>39</b>	6,081,785	06/27/00	Oshima et al.	705	1
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>		



SEP 15 2005

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**Form PTO-1449 Modified**

List of Patent and Publications  
Cited by Applicant  
(Use several sheets if necessary)

U.S. Department of Commerce  
Patent and Trademark Office

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**U. S. PATENT DOCUMENTS**

Examiner Initial	Document No.	Date	Name	Class	Subclass
40	6,088,455	07/11/00	Logan et al.	380	200
41	6,088,722	07/11/00	Herz et al.	709	217
42	6,119,096	09/12/00	Mann et al.	705	5
43	6,141,530	10/31/00	Rabowsky	725	116
44	6,151,600	11/21/00	Dedrick	707	10
45	6,175,840	01/16/01	Chen et al.	707	501.1
46	6,177,931	01/23/01	Alexander et al.	725	52
47	6,229,453	05/08/01	Gardner et al.	340	853.8
48	6,247,130	06/12/01	Fritsch	713	171
49	6,249,532	06/19/01	Yoshikawa et al.	370	486
50	6,269,394	07/31/01	Kenner et al.	709	217
51	6,272,636	08/07/01	Neville et al.	713	189
52	6,385,596	05/07/02	Wiser et al.	705	51
53	6,400,996	06/04/02	Hoffberg et al.	700	83
54	6,408,313	06/18/02	Campbell et al.	707	205
55	6,424,998	07/23/02	Hunter	709	207
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### **FOREIGN PATENT DOCUMENTS**

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
	69	EP 0 756 423 A1	01/29/97	EPO		
	70	WO 92/22983	12/23/92	PCT		
	71	WO 94/13107	06/09/94	PCT		
	72	WO 00/05886	02/03/00	PCT		
	73	WO 00/14965	03/16/00	PCT		
	74	WO 01/01677	01/13/00	PCT		
	75	WO 01/17242	03/08/01	PCT		
	76	WO 01/54324	07/26/01	PCT		
	77	WO 01/74050	10/04/01	PCT		
	78	WO 01/82625	11/01/01	PCT		
	79	503657 (Appl'n No. 89117223)	08/25/00	Taiwan	X (English Abstract Only)	
	80	90101479**	01/10/01	Taiwan		
	81	527835 (Appl'n No. 90104727)	03/01/01	Taiwan	X (English Abstract Only)	
	82	JP360253082	12/13/85	Japan	X (English Abstract Only)	
	83	JP2002015333	01/18/02	Japan	X (English Abstract Only)	
	84	JP2002099283	04/05/02	Japan	English Abstract Submitted Only	
	85	JP2002156979	05/31/02	Japan	X (English Abstract Only)	
	86	JP410290441	10/1998	Japan	X (English Abstract Only)	
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\*\* This Taiwan patent application was cited by previous counsel in a related patent application. However, this document is not available to the public because it is currently under examination.